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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,340	11/26/2003	Sung Gi Hwang	0465-1089P	8378

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EXAMINER

ESTREMSKY, GARY WAYNE

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,340

Applicant(s)

HWANG, SUNG GI

Examiner

Gary Estremsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/26/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

1. Claims 2, 11, 13, 14, and 16 are objected to because of the following informalities :

Claim 2 and 13; last line of each - "to hold to guide" should be rewritten as -to hold and guide- or equivalent.

Claim 11; recitation of "the first and second reception parts" lacks clear antecedent basis in the claim.

Claim 14 - "lath" should be replaced with -latch-.

Claim 16; recitation of "the coupling holes" lacks clear antecedent basis in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,603,631 to White.

White '631 teaches Applicant's claim limitations including : a "hook" - 29, provided at one side of the door of the drier" - 18, "hanging portion at both sides" - enlarged portions of 29 for retaining, a "latch body" - including 26, a "pair of holders" - left and right (as shown in Fig 5) indented retaining portions of 24, a "pair of springs" the left and right half circles of part 24 that bias its retaining ends toward each other.

As regards claim 6, limitation of "triangular" must be interpreted broadly consistent with Applicant's use of the term to describe the disclosed invention which is not a triangle.

As regards claim 9, inasmuch as the confronting ends of 24 are not shown to have a definite vertex, they are interpreted as reading on broad limitation of "rounded".

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,082,787 to Chioffi.

Chioffi '787 teaches Applicant's claim limitations including : a "hook" - including A as shown on the face of the Patent, provided at one side of the door of the drier" - P noting that recitation of "drier" amounts to little more than intended use since no 'drying' structure is claimed. It has been held that a

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recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Regardless, it's well known that dishwashers, as disclosed dry dishes. Chioffi '787 also teaches : "hanging portion at both sides" - enlarged portions of A on either side (not symmetric) for retaining, a "latch body" - including 3, a "pair of holders" - 8b,9b in Fig 3, a "pair of springs" - 10,11.

As regards claim 2, Chioffi '787 teaches a "first reception part" - including aperture at 3, a "pair of second reception parts" - channels receiving 8a,9a.

As regards claim 6, as shown in Fig 2.

As regards claim 11, Chioffi '787 illustrates structure on the entry or front side of the portions 8,9 and on the rear side where either structure reads on "latch cap".

5. Claims 1-5, 9, 11-13, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 2,869,952 to Saunders.

Saunders '952 teaches Applicant's claim limitations including : a "hook" - 29, provided at one side of the door" noting that recitation of "of the drier" amounts to little more than intended use of the door since no 'drying' structure is claimed. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Saunders '952 also teaches :

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"hanging portion at both sides" - enlarged portions of 29 on either side for retaining, a "latch body" - including 31, a "pair of holders" - including 39,41,43,44, a "pair of springs" - 47,47 as shown.

As regards claim 11, inwardly-facing U-shape channels are shown to enclose the holders portion of the latch as shown in Fig 2 wherein either channel reads on broad limitation of "latch cap".

As regards claim 12, parts 38 read on "fixing protrusions".

As regards claim 13, parts 42 read on "guide protrusions".

As regards claim 16, Saunders '952 teaches "screws" where upper and lower sides (inherent for centered location illustrated in cross-section) of the latch read on "both sides" limitation.

Allowable Subject Matter

6. Claim 14 is objected to.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 2,380,568 to Adams.

U.S. Pat. No. 2,526,539 to Carroll.

U.S. Pat. No. 2,629,156 to Kamens.


U.S. Pat. No. 5,096,236 to Thony.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Estremsky whose telephone number is 703 308-0494. The examiner can normally be reached on M-Thur 7:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Will can be reached on 703 308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gary Estremsky
Primary Examiner
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